IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 767 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

REVATSINGH M RAJPUROHIT

Versus

AYALDAS PARMANAND LEKHRAJANI

Appearance:

MR PK JANI for Petitioner

NANAVATI ASSOCIATES for Respondent

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 11/09/2001

ORAL JUDGEMENT

After arguments, the learned counsel for the petitioner states that without prejudice to his contention that the petitioner has not taken possession of the suit premises in any manner, the Court Commissioner may be directed to give possession of the

suit premises to the respondent. Accordingly, the Court Commissioner appointed by the Trial Court is directed to hand over possession of the suit premises to the respondent. While deciding the application (Exh.44), the Trial Court shall examine and consider the petitioner's contention in the said application that he has not taken possession of the premises and that he has not committed any breach of the injunction order on merits and without being influenced by any observations in the impugned order. The revision application is disposed of accordingly. Rule discharged. Interim relief stands vacated.

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